

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
3 AMELIA L. BIZZARO
Assistant Federal Public Defender
4 Wisconsin State Bar No. 1045709
411 E. Bonneville Ave. Suite. 250
5 Las Vegas, Nevada 89101
6 (702) 388-6577
6 (702) 388-6419 (fax)
7 amelia_bizzaro @fd.org

8 Attorneys for Petitioner Leonard McCaskill

9
10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 LEONARD McCASKILL,

13 Petitioner,

14 v.

15 ISIDRIO BACA, et al.,

16 Respondents.

Case No. 3:17-CV-00305-RCJ-WGC

**Unopposed Motion for Extension of
Time to File an Amended Petition for
Writ of Habeas Corpus**

(First Request)

17
18 Petitioner Leonard McCaskill, by counsel, moves this Court for an order
19 extending the time in which he must file a reply in support of his Amended petition
20 by 90 days from January 16, 2018 to and including April 16, 2018. This motion is
21 based upon the attached points and authorities and the record in this case.

22
23
24 ///

25 ///

26 ///

POINTS AND AUTHORITIES

1. I am the counsel of record for Mr. McCaskill.

2. This Court appointed counsel at McCaskill's request on October 19, 2017, giving McCaskill 60 days from appearance to file an amended petition. *See* ECF No. 05. Undersigned counsel filed her appearance on November 17, 2017. ECF No. 09.

3. This is McCaskill's first request for an extension.

4. Counsel's time has been primarily occupied by pre-hearing litigation for a case in which a three-day evidentiary hearing is scheduled to be held from January 16 through January 18, 2018 before this Court in Reno. In that case alone, counsel has filed two motions, two replies in support of her motions, one response to a motion, a pre-hearing brief, a reply in support of her pre-hearing brief, and exhibit lists. All of these pleadings were filed, in conjunction with another attorney, between November 22, 2017 and January 5, 2018.

6. Counsel was out of town from December 22 through December 26, 2017 to celebrate the holidays with her family. In addition, the non-capital habeas unit of the Federal Public Defender, District of Nevada was closed for purposes of relocation from January 8 through January 12, 2018.

7. As a result of counsel's schedule, she has been unable to complete the amended petition in this case. This extension will give counsel enough time after completion of the hearing to meet with Mr. McCaskill and to file the amended petition in this case. This period of time is necessary to effectively and thoroughly represent McCaskill. This motion is not filed for the purposes of delay, but in the interests of justice, as well as the interests of McCaskill, and takes into consideration counsel's upcoming deadlines and obligations.

8. On January 16, 2018, an attorney in my office, Megan Hoffman, contacted counsel for the Respondents, Amanda Sage. Ms. Sage is out of the office on

1 leave so Ms. Hoffman spoke with Ms. Sage's assistant. The assistant represented that
2 Ms. Sage does not oppose this request for an extension of time.

3 9. For the reasons above, as well as the record in this case, undersigned
4 counsel asks this Court to grant this request for an extension of time and enter an
5 order permitting him to file his reply on or before April 16, 2018.

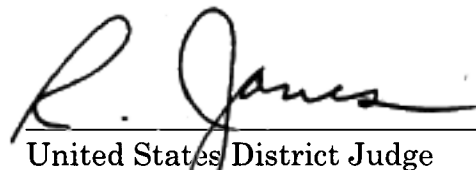
6
7 Dated this 16th day of January, 2018.

8 Respectfully submitted,

9 RENE L. VALLADARES
10 Federal Public Defender

11 /s/ Amelia L. Bizzaro
12 AMELIA L. BIZZARO
13 Assistant Federal Public Defender

14 IT IS SO ORDERED:

15
16 
17 United States District Judge

18 Dated: 1-19-2018
19
20
21
22
23
24
25
26